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Department of State TELEGRAM

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ACTION EA-14

INFO OCT-01 UPW-01 SAL-02 AID-20 CIAE-00 DODE-00 PM-06
H-02 INR-06 NSAE-00 NSC-10 P-03 RSC-01 PRS-01 SS-14
USIA-12 IO-11 RSR-01 /105 W
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R 241115Z SEP 71
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC 0368
INFO AMEMBASSY BANGKOK
CINCPAC
AMCONSUL DANANG
USDEL FRANCE
AMEMBASSY PHNOM PENH
AMEMBASSY VIENTIANE

UNCLAS SAIGON 15379

CINCPAC FOR POLAD

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY Joan Izenberg DATE 1/26/82
RDS☐or XDS☐EXT. DATE _____
TS AUTH. _____ REASON(S) _____
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED☒ RELEASABLE☑
RELEASE DENIED☐
PA or FOI EXEMPTIONS _____

SUBJECT: GVN COMMUNIQUE ON SENATE VS PROCLAMATION CONCERNING OCT 3 ELECTION

REF: SAIGON 15314

1. FOLLOWING IS FULL ENGLISH TEXT FROM VIETNAM PRESS.

2. BEGIN TEXT: SAIGON, SEPT 24 (VNS)--THE RVN GOVERNMENT IN A COMMUNIQUE ISSUED THURSDAY SAID, IN THE PRESENT JUDICIARY SITUATION, THE ORGANIZATION OF THE PRESIDENTIAL ELECTION ON OCT 3 IS TO RESPECT AND TO CARRY OUT THE CONSTITUTION AND THE LAWS IN FORCE.

3. FULL TEXT OF THE COMMUNIQUE READS (UNOFFICIAL TRANSLATION):

(2)

4. ON SEPT 22, THE SENATE, WITH THE APPROVAL OF 28 SENATORS, ISSUED A PROCLAMATION RELATING TO THE OCT 3 PRESIDENTIAL ELECTION, AND APPEALING TO CONSTITUTIONAL INSTITUTIONS TO REORGANIZE THE BALLOT. THE GOVERNMENT DEEMS IT NECESSARY

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TO MAKE THE FOLLOWING CLARIFICATIONS:

5. FIRST: CARRYING OUT THE CONSTITUTION, THE NATIONAL ASSEMBLY ITSELF ENDORSED ELECTION LAW 9-71 DATED JUNE 23, 1971 FIXING OCT 3, 1971 AS THE PRESIDENTIAL ELECTION DAY. THIS LAW DOES NOT ENVISAGE ANY CIRCUMSTANCES UNDER WHICH THE ELCTION MAY BE POSTPONED.

6. SECOND: ACCORDING TO ARTICLE 54 OF THE CONSTITUTION, THE SUPREME COURT IS THE ONLY AGENCY EMPOWERED TO ESTABLISH THE LIST OF CANDIDATES AND CONTROL THE LEGALITY OF THE ELECTION.

7. THE WITHDRAWAL OF TWO OTHER SLATES FROM THE ELECTION AND THE FACT THAT THE ONLY SLATE OF THE INCUMBENT PRESIDENT WILL RUN FOR THE ELECTION IS NOT A CAUSE WHICH MAKES THE OCT 3 ELECTION BEYOND THE LAWS INFORCE.

8. THE SUPPREME COURT'S GENERAL ASSEMBLY ITSELF AUG 31 OFFICIALLY ANNOUNCED THAT THE INTERIOR MINISTRY WILL EVENTUALLY APPLY THE RELATED PROVISIONS OF THE ELECTION LAW FOR THIS REALISTIC SITUATION.

9. THIRD: THEREFORE, THE GOVERNMENT HAS PROMOTED THE ORGANIZATION OF THE ELECTION FOR OCT 3 IN THE SPIRT OF RESPECT FOR THE CONSTITUTION, AND CORRECT IMPLEMENTATION OF LAW 9-71. IF IT IS NECESSARY TO AMEND THE CONSTITUTION AND THE ELECTION LAW IN FORCE, IT IS THE RIGHT OF THE NATIONAL ASSEMBLY.

10. FOURTH: IN THE PRESENT JUDICIARY SITUATION, THE ORGANIZATION OF THE ELECTION OCT 3 IS TO RESPECT AND CARRY OUT THE CONSTITUTION AND THE LAWS IN FORCE. BY SO DOING, THE GOVERNMENT AIMS AT CONSOLIDATING THE LEGALITY OF THE REGIME, IN THE CONSCIOUSNESS OF ITS REPONSIBILITY TOWARD THE DESTINY OF THE COUNTRY AND TO MEET WITH THE LEGITIMATE ASPIRATIONS OF THE ENTIRE PEOPLE. END TEXT

BUNKER

ADJUSTED